

## **REMARKS**

### Status of the Claims

Claims 22-36 are pending. Claim 22 is amended.

The amendment to Claim 22 is discussed in detail further below. No new matter is added in the above amendment.

### Prosecution Summary

The instant application has had a long prosecution in the USPTO.

The application was even allowed when the previous Examiner mailed a Notice of Allowance February 8, 2008. A Request For Continued Examination (RCE) was filed following the allowance. The Application was then transferred to the present Examiner. A rejection and later a final rejection eventually were mailed.

An interview was conducted and an amendment was proposed that was agreed by the Examiner and Supervisor Luong would overcome the rejection over the only remaining reference. Despite this agreement, the proposed amendment was not entered as allegedly raising new issues and a second RCE was required.

Of course the next filed amendment did overcome the cited prior art. Only now a new reference has been applied in a new rejection. This single reference is again the only remaining issue.

Given the long history of this instant application and the USPTO's preference for more compact prosecution, in the event that the present response fails to overcome this latest rejection, the Examiner is respectfully requested to contact Applicants representative to determine if an agreement can be reached to facilitate allowance.

Issues Under 35 U.S.C. §102

Claims 22-36 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Wieltch, German Patent No. DE2261933. This rejection is respectfully traversed. Reconsideration and withdrawal thereof are requested. However, in view of the above amendment, this rejection is moot. The Office Action alleges that Wieltch discloses an anchoring device (Fig. 1) for anchoring and elongate member to a fixed member (Fig. 4) with the fixed member having a slot leading to an edge thereof (at 14: Fig. 4).

Claim 22 is amended above to clarify that in the present invention the elongate member passes through the slot. It is also understood that in Wieltch, when the anchoring device is engaged with the slot, the elongate member passes through the slot. See Fig. 1.

However, claim 2 now specifies that the collar member has a leading edge which extends into the groove and engages the edge of the slot.

The Examiner alleges that Wieltch discloses a collar member having a leading edge (at 13) which extends into the groove and engages a slot when the anchoring device

is located within the slot. However, Applicant respectfully submits that it is clear that the leading edge 13 of Wieltch does not engage with the edge of the slot. On the other hand, the leading edge 13 of Wieltch engages with the bores 15 and 16. Accordingly, the invention as defined in claim 22 is clearly novel in view of Wieltch. The bores 15 and 16 of Wieltch cannot be argued to be the slot as the elongate member clearly does not pass through the bores 15 and 16. On the other hand, the elongate member passes through the slot as described above and being clearly apparent from Figure 1 in the instant specification.

A significant advantage of the present invention is that the anchoring device can be brought to the slot at any axial orientation and successfully engage with the slot as the leading edge 9 of the collar 1 engages the edge of the slot.

Conversely, when comparing the embodiments of the present invention with Wieltch, the collar including the pins 13 of Wieltch has to be brought at a specific angle for the pins 13 to engage with the bores 15 and 16.

There are significant advantages to this feature of the present invention when compared with Wieltch. For example, during assembly much more careful alignment is required using the Wieltch device. Of course, this requires longer assembly time. Additionally, the Wieltch device has significantly reduced strength as the pins 13 may break away from the collar attachment.

As stated in the record, in order to anticipate the claim, each and every element as set forth in the claim must be described in a single prior art reference. *Verdegaal Bros. v.*

*Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, the identical invention must be shown in as complete detail as is contained in the claim.

*Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

At least in the view of the differences above, it cannot be said that the prior art meets the requirements for anticipation.

Accordingly, the Examiner is respectfully requested to withdraw this rejection.

#### Interview Requested

As indicated above, this application has experienced a significantly long and inefficient prosecution. If the above amendment does not result in an immediate allowance of this application, the Examiner is respectfully requested to contact the undersigned to schedule an interview. This interview may serve to reduce any remaining issues and expedite allowance of this application.

The Commissioner is authorized to charge any additional fees or credit any overpayment coincident to this Request to Deposit Account 50-2752.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Myers, Jr.", with a stylized flourish at the end.

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